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Transcript

Newsletter of the Orange County Public Law Library

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Adding New Titles to the Federal Depository Collection: It's Not As Easy As You Might Think

by Karen Wood, Government Documents Assistant

Throughout the year, I'm given requests for titles that appear to be published by the federal government. People figure, since we're a federal depository library, we should be able to get this publication at no charge and save the library some money by not ordering it from a commercial publisher (who also may have published the same title). Makes sense, right? Well...the first difficulty we come across, is figuring out if it's available through the depository program. We do this by checking the online Catalog of United States Government Publications (<http://www.gpoaccess.gov/cgp/index.html>).

If it's there, we then look at the item number of the document. Our library's depository collection is represented by a list of item numbers which stand for titles of federal depository documents that our librarians have determined are of interest to our patrons. If the item number of this new title is not one that is on our list, we can't just order it, at no charge, right then and there. We would probably have to pay for it through the U.S. Government's Online Bookstore (<http://bookstore.gpo.gov>). It would be so much easier if we could just pick up the phone, call Washington DC, say we're a depository library, and get any government document we want for free. Unfortunately, it doesn't work that way. Here's how it does work:

Depository libraries are only able to make additions to their selection profile once a year during the Annual Selection Update Cycle that takes place between June 1st and July 31st.


If we wanted to try to select the item number for the title discussed above, we can't be guaranteed that we would get it because any additions to our selection profile are not effective until October 1st and even then, it only applies to publications on shipping lists dated on October 1st and after. We could go ahead and select the

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On Display

NATIONAL HISPANIC HERITAGE MONTH

by Mora Prestinary, Reference Librarian

The Library's Book Display will feature Hispanic legal materials during National Hispanic Heritage Month, September 15 to October 15. Prominent Hispanic-American lawyers and jurists will also be highlighted. Please take a moment to stop and observe our Book Displays. 

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item number for this title and hope that we would receive any future editions.

Now, the good news. During this years' annual selection cycle, the director, librarians, and I have really looked at how we can increase our depository collection. We have looked at a long list of titles that the Government Printing Office has recommended that law libraries have. We've also looked at their list of "Essential Titles" for all depository libraries. We have added 37 new item numbers to our selection profile. Here is a sampling of the new titles we will be getting as they are made available by the government after October 1st:

Foreign Relations of the United States

Economic Report of the President

National Criminal Justice Thesaurus


Budget in Brief and Major Policy Initiatives of the President

The Condition of Education

Social Security Bulletin


Kappler's Indian Affairs, Laws and Treaties

Source Book of Statistics of Income

The process of ordering federal government titles seems cumbersome and frustrating at times, but we have to keep reminding ourselves to be patient and grateful because these books are available to us at no charge, as part of the "citizen's right-to-know" pact our library has made with the federal government's depository program. At a time of budget constraints, when acquisition costs for purchasing new books are at an all-time high, this is a great deal for libraries. 

MILESTONES


by Mora Prestinary

Graduates galore! Two of our staff graduated from law school: **Maria Arredondo** obtained her JD from Chapman University Law School and **Brandon de Jonge** graduated from Western State University Law School. **Nata Nguyen** received her B.S. in Information & Computer Science from UCI. Congratulations to all! And now onward to the University of Life. 

What's New From The Depository


by Karen Wood, Government Documents Assistant



- *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States*
GEN2 HV6432.7 .N39 2004
- *Age-Specific Arrest Rates and Race-Specific Arrest Rates for Selected Offenses*
GEN3 KF9625 .A3 2003
- *Badges of Honor: California Highway Patrol*
GEN2 HV8145 .C2B32 2004
- *Compilation of Federal Ethics Laws*
GEN3 KF4568 .C66U5 2003
- *Ethics Manual: for Members of the Board of Immigration Appeals*
GEN3 KF5107 .U554 2001
- *Federal Money Laundering Cases*
GEN3 KF1030 .R3A52 2004
- *The Federal Workforce for the 21st Century: Results of the Merit Principles Survey*
SUDOC MS 1.2.:W 89/7
- *International Law and the War on Terrorism*
GEN4 KZ22 .I56 V.79
- *Manual for Complex Litigation (4th ed)*
GEN3 KF8900 .M352 2004
- *Mediating Citizen Complaints Against Police Officers*
GEN2 HV7936 .C6W35 2002
- *More Than 30,000 Environmental Emergencies Occur Each Year: Are you Ready?*
SUDOC EP 1.2:EM 3/9
- *Postconviction DNA Testing: Recommendations for Retention, Storage and Disposal of Biological Evidence*
GEN3 KFC1165 .P6 2002
- *Public Papers of the Presidents; George W. Bush (covering July 1 through December 31, 2001)*
GEN3 KF5051 .A2U5 

ALL'S FAIR

by Mora Prestinary

The Library will be participating in the Orange County Fair for the fourth year in a row. On Sunday, August 1, twelve Library volunteers donated 26 hours to staff a booth in the Orange County Building. Volunteers answered questions about the services of the Library as well as handed out pertinent legal materials to Fair goers. 

Of Human Turbulence: America's Ongoing Social Evolution in a Nutshell

by W. Clifford Vining

*The love of freedom has been the quality of Western man.
...that passion made you. You were not born to prosperity, you were born to love freedom.*

- Robinson Jeffers, 1934
Shine, Republic

Part I

In our formative decades, our people - the people we would become and still are becoming - were forged by high ideals and virtues, qualities emanating from a variety of sources: religious and philosophical, foreign as well as indigenous. We all wanted freedom, prosperity and peace - and most likely in that order. Human nature, despite the prophesies of poets, gives short shrift to the idea of freedom and poverty.

The desire for freedom and prosperity, however, would give rise to considerable turbulence. Spiritual, as well as material pursuits of happiness often travel the rocky road of contestation even to the point of warfare, especially when cultures clash. We would clash with our indigenous nations, even as we clashed with our conscience, and we would often fall short of our ideals, but we would persist in our ambitions, and persist with great courage. There was in us always a largely unstated sense of destiny in our societal development despite our moral lapses.

Our early religious leaders preached to us about "fallen man", even while being swayed by the benevolent optimism of the Scottish Enlightenment of the 18th century. Many Americans have heard of Jonathan Edwards and his stirring, wealth-generating advocacy of the Puritanical work ethic, but too few know of Francis Hutcheson and the Scottish theory of "moral sense", a theory that had considerable influence on the mind of Thomas Jefferson, as well as on Edwards.¹

To some measure, the stress to synthesize and reconcile these two conflicting attitudes and notions - the dark pessimism of sinful, fallen man in contrast with the sunny, energizing moral sense of optimism and benevolence - probably motivated us to succeed with our wits intact and our hearts down to earth. An unchecked, heady optimism can lead to ill-advised recklessness, after all, while too deep a pessimism will produce a culture of ma-

levolence. Man may have fallen, but we soon found that he was capable of righteously rising to meet the challenges of the New World with considerable gusto. To be sure, a theologically qualified version of wealth-generating energy was always inherent in Puritanism. A prosperous individual was taken as someone who had been "elected" by God for salvation. To say the least, Puritans possessed a deep incentive to become prosperous.

Be that as it may, however, anyone who came voluntarily to our shores, Puritan or not, was expected to succeed, because there simply was no sound reason not to. Virtually all arrivals were people of skill. True, most were seeking freedom from religious persecution, but they were also seeking opportunities to apply their respective talents and knowledge. Very early in our history freedom came to mean the freedom to be ambitious. We would not only redeem ourselves, we would enjoy ourselves in and through our productive and creative efforts. Joy was to be found in work done excellently. As Puritan oligarch, Cotton Mather, once enthusiastically intoned in 1701, "You may Spiritualize the most Earthly Business in the World, by a Chemistry that shall fetch Heavenly Thoughts out of it...May you all follow your good Occupations and may Goodness and Mercy follow you all, in your Occupations."²

Free of a European based, feudal history, we soon proved that we were very good at "spiritualizing" our "earthly business", that there should and would be no shame and guilt in producing wealth, that the inherited wisdom of the Old World would have new applications in the New World. Gone was the feudal, cultural condemnation of business and trade. These practices no longer comprised a necessary evil, but became a necessary good.

In keeping with the expansion of business and trade, both here and abroad, a major portion

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of that inherited wisdom was philosophical and scientific, as well as theological. The 16th and 17th centuries had been exciting and dangerous times of searching in all fields of human endeavor. Established opinions and authority were questioned seriously. In 1514, Polish astronomer Nicolaus Copernicus started a revolution in human inquiry by knocking the planet earth out of the center of the universe. About three years later in 1517, Martin Luther launched the first major attack against ecclesiastical abuses when he nailed up his Ninety-Five Theses on the door of the Wittenberg Church. The Copernican perspective was advanced by the astronomical calculations of Johannes Kepler around 1597 and the telescopic observations of Galileo Galilei beginning in 1609. Finally, the Copernican, heliocentric hypothesis took on firm authoritative weight with Isaac Newton's universal gravitation theory in 1664. By that time, of course, the Protestant Reformation started by Luther and others was deeply entrenched. The modern age had arrived.³

These scientific findings and theological upheavals steadily undermined authoritarian reliance upon deductively derived traditional rationalism in favor of the inductive roads of empirical knowledge and personal experience. By 1689 when John Locke published his *Essay Concerning Human Understanding*, a new foundation for knowledge had been established. From that date onward epistemology (theory of knowledge) would be considered as significant to human development as metaphysics (theory of reality) and theology (theory of God). This attitudinal and inquisitive change would prove profound.

To be continued....

¹ See pages 193-206, 229-239 in Garry Wills' *Inventing America: Jefferson's Declaration of Independence*, at GEN2 E221.W64 1978, and page 17 in Wills' *Explaining America: The Federalist*, at GEN2 JK155.W54.

² See page 30 in *The American Gospel of Success: Individualism and Beyond*, Moses Rischin, editor, at GEN2 BJ1611.2.R54.

³ See <http://www-gap.dcs.st-and.ac.uk/~history/Mathematicians/Copernicus> and <http://es.rice.edu/ES/humsoc/Galileo/People/kepler>, as well as <http://www.iclnet.org/pub/resources/test/wittenberg/luther>. 

The American Association of Law Libraries 97th Annual Diversity Symposium

by Lu Nguyen, Reference Librarian

As a member of the American Association of Law Libraries Diversity Committee, I was selected to be a moderator for this year's Diversity Symposium titled "Promise, Purpose, and Potential: Brown v. Board of Education at Home and Abroad," commemorating the 50th anniversary of Brown v. Board of Education.

Our speakers were: Judge Sylvia Cooks, Michal Kurlaender, Chungmei Lee, and Professor Guy Stuart.

Judge Sylvia Cooks is a member of the Third Circuit Court of Appeals in Louisiana.

Judge Cooks shared with the audience the obstacles, and challenges that she has had to overcome in pursuing her legal education and career. She concluded by suggesting that we all should appreciate what is different and muster the courage to discover what is fundamentally the same about us...to join our strength and take sustenance from our diversity, to honor our rich and varied traditions and cultures, and act together for the protection and benefit of us all.

Michal Kurlaender is a researcher at the Civil Rights Project at Harvard University and a Doctoral candidate in education policy at the Harvard Graduate School of Education.

Ms. Kurlaender discussed the literature and her research about Social Science Evidence on the Impact of School Racial Composition on Student Outcome. She shared her findings about multicultural schools and achieving positive outcomes in the current climate of integration.

Chungmei Lee is a researcher at the Civil Rights Project at Harvard University.

Ms. Lee shared her knowledge of the current state of desegregation in schools across the country, with emphasis on the Boston metropolitan area. She recommends "ending the resistance to terminate desegregation plans, appointing judges who recognize the value of integration, providing diversity training for educational professionals, and providing educational choices."

Guy Stuart is an associate professor at the Ken-
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DIRECT DEMOCRACY: BALLOT PROPOSITIONS

by John Patrick Quigley,

with help from his favorite quotable notable, Winston Churchill - featuring lesser-known Winnie-isms, from *Familiar Quotations*, REF PN6081.B27, and other sources. (This is an update of material from the 2000 and 2002 Transcripts.)

"It is a good thing for an uneducated man to read books of quotes."



CURRENT PROPOSITIONS

See the Secretary of State's website at http://www.ss.ca.gov/elections/elections_j.htm. The November ballot currently includes 14 propositions, with 23 initiatives in circulation, including measures for school vouchers, immigrants, gambling, elections, and taxes. Some seem designed to attract certain voters; others seem to just never go away.

"A fanatic is one who can't change his mind and won't change the subject."

PAST PROPOSITIONS

Ballot pamphlets since March 1996 can be found at the above-cited website, with links to a Hastings' website that goes back to 1911, when the initiative process began. The library also has paper copies of ballot pamphlets from 1912, and the texts of successful propositions are published in each session's volume 1 of *Statutes and Amendments to the Codes*, GEN3 KFC30.A2. For a list of those passed since 1982, see page 47 in the "QUICK GUIDE" at the Reference Desk.

Studying propositions and their supporting arguments is useful in determining original intent, and can also be entertaining. For example, arguments for prohibition propositions, in 1914, 1916 and 1918, provide a slice of history circa World War I: "Immigrants from Europe are generally liquor drinkers. 'Dry' the state and turn them elsewhere."

"Winston, you're drunk."

"Bessie, you're ugly. But tomorrow I shall be sober."

FUTURE PROPOSITIONS

Advice is given in the Secretary of State's above-cited website. Also see *Initiatives Cookbook: Recipes & Stories from California's Ballot Wars*, GEN3 KFC708.S48 1996.

Do you have a pet project? I am inspired by the success of Robert Redford and friends in using the initiative to ban horsemeat as a delicacy for Canadians, despite Libertarian wisecracks. (See arguments over 1998's Proposition 6.) Smitten by the children's classic, *Charlotte's Web*, and the popular movie, *Babe*, I'd like to extend the ban to pigs. To support this truly pork-less cause, send your endorsement to nomoreham@ocpll.

"I am fond of pigs. Dogs look up to us.

Cats look down on us. But pigs treat us as equals."

THE CASE FOR DEMOCRACY

The initiative process is often criticized, but such "direct democracy" can be a welcome alternative to a legislature beholden to lobbyists and other power brokers seeking special favors. Democracy doesn't mean liberty, equality or justice, which are more subjective concepts. (But those values seem to thrive best in democracies.) It simply means majority rule, which can lead to oppression of minorities, and restriction of such oppression is the essential role of constitutions. Voter majorities can make other bad choices, but are at least most likely to be content with a government that they have chosen. We can go further and hope that the diffusion of power among the electorate limits the propagation of error, stated by Lincoln as "...you can't fool all of the people all the time." Even if this were not true, the alternative is rule by some self-appointed minority, such as that advocated by communists. The results of this view were well illustrated by the genocides of dictators like Stalin, Mao and Pol Pot. For power not only corrupts; it attracts corrupted and corruptible people! (For discussion of an early literary assault on communism, see *George Orwell & Nineteen Eighty-Four*, GEN2 PR6029.R8N5 1984.) Finally, whatever can be said against democracy, it has had remarkable success, politically, economically and militarily.

"Democracy is the worst form of Government except for all those other forms that have been tried from time to time."

THE SUCCESS OF DEMOCRACY


The Industrial Revolution began during the nineteenth century in Europe and took opposite paths among similar peoples whose cultural institutions had evolved in different geographical settings. During the Thirty Years War of the seventeenth century, the German states in central Europe had been invaded from every direction, by Austria and Spain in support of the Catholics, and by Sweden, Denmark and France, in support of the Protestants. The eventual truce left the states divided not only by re-

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ligion, but also politically, as was intended by Catholic France, and they were conquered by Napoleon in the early nineteenth century. When they were united later in that century by Bismarck of Prussia, he championed a militaristic, autocratic culture intended to keep neighboring countries subdued, with successful wars against Denmark, Austria and France.

After England's conquest by the Normans during the middle ages, that island nation developed a formidable navy that secured it from the armies of aggressors like Napoleon and Hitler, and allowed democratic institutions to develop. They included free enterprise, which enabled a rising mercantile class to achieve industrial prominence in England and its faraway cultural progeny in America. Modern wars are won by such things as tanks and planes, and the industrial power to produce them. In the last century, two world wars saw the military triumph of Anglo-American democracy over German autocracy, and the Cold War saw its economic triumph over Communist totalitarianism as well.


A historical source in our library is *Modern Eloquence*, GEN2 PN612L.M63 (1932). See especially, in Volume X: Historical Masterpieces (European), "War and Armaments in Europe" by Bismarck and "Democracy vs. Socialism" by Clemenceau.

*"The inherent vice of capitalism is
the unequal sharing of blessings;
the inherent virtue of socialism is
the equal sharing of miseries."* 

Diversity Symposium
(Continued from page 4)

nedy School of Government.

Professor Guy Stuart focused on Housing Segregation since *Brown v. Board of Education*. He suggested that we can help to carry out the ruling in *Brown v. Board of Education* by personally aiding interracial relations by doing acts of kindness everyday, regularizing the subprime market through Fannie Mae and Freddie Mac, and as a political action "reframing the issue: segregation is the systematic denial of opportunity."


While all the speakers agreed that tremendous progress has been made, they were convinced that more needs to be done to achieve the full potential of *Brown* and that individually we all have a part to play to share this dream. 

LOOKING AT THE WEB

by Mora Prestinary, Reference Librarian



Ready for more ballot and voter information? Try these:


- *Elections & Voter Information*
http://www.ss.ca.gov/elections/elections_decline.htm
- *Official Election Returns, Find Your Polling Place*
<http://www.ss.ca.gov/elections/elections.htm>
- *California Ballot Propositions from 1944 to Present*
http://www.scu.edu/law/library/ballot_propositions.html
- *California Ballot Measure Databases from 1911 to present*
http://holmes.uchastings.edu/library/Research%20Databases/CA%20Ballot%20Measures/ca_ballot_measures_main.htm
- *California Legislative Analyst's Office: Publications, Ballots/Initiatives,*
<http://www.lao.ca.gov/>
- *Election Results and Dates*
http://www.ss.ca.gov/elections/elections_elections.htm 

STAFF NEWS

FAREWELL, ANN MARIE

Ann Marie Reilly recently retired from OCPLL, after over 12 years of service. Her daughter and son-in-law are expecting their first child, and Ann Marie is looking forward to being a very involved grandmother. A frequent contributor to *The Transcript*, she was affectionately known as the "Dictionary Lady", because of her articles on that subject. She will be sorely missed at the library and especially by *The Transcript* staff.

WELCOME, MARIA

Maria Arredondo replaced Ann Marie on the full-time staff, after working as a part-time aide. She recently obtained her JD degree from Chapman University Law School and served on its law review. Last year, she authored a *Transcript* article on a U.S. Supreme Court case, entitled: "THE DEFINITIVE WORD ON SCHOOL VOUCHERS – MAYBE," and we hope to have more articles by her in the future. 



MICROFORMS AT OCPLL

by Margaret Rogers, Cataloging Technician



The Orange County Public Law Library has committed itself to buy and maintain a diverse microform collection for our patrons. As of June 30, 2004, OCPLL has 1,044,522 microfiche, 9,927 ultrafiche, and 657 microfilm rolls. They are housed in a Sperry-Univac Lektriever 110, 18 microfiche cabinets (10 in the 3rd floor Microform Room and 8 on the 1st floor), 2 microfilm cabinets (housed on the 1st floor), and the half stack and bookcase in the Microform room. The microfiche, microfilm, and ultrafiche collection equal 147,767 bound volumes.


OCPLL was one of the original participants in the Law Library Microform Consortium, which is a cooperative consisting of the major law libraries in the United States, i.e. Yale, Harvard, and Michigan. The Law Library Board of Trustees authorized participation in January 1978. LLMC has filmed more than 7,500 titles, numbering over 98,000 volumes and the Law Library has acquired many of their titles: i.e. Martindale-Hubbell Directories (1869-1999); the Native Americans Legal Materials; Harvard Legal Bibliography; William Blackstone Collection in the Yale Law Library : a Bibliography Catalogue; and many out of print United States government documents. LLMC has now entered the digital age and is in the process of transferring its back file of titles to an online searchable format. Ms. Storer, the Law Library Director, is a member of the LLMC Board of Directors, as was Mrs. Ochal, who was the director of the Law Library from 1972 until 1988.

The Law Library also has subscriptions for the Congressional Record, Code of Federal Regulations, Federal Register, state superceded codes, state session laws, bar journals, treaties, California Code of Regulations, California Supreme and Appellate Court Briefs and federal depository titles through various publishers and vendors.

Storage for microforms which include microfiche, ultrafiche, and microfilm is varied and the Law Library has both a Lektriever and microform cabinets as explained above. The Lektriever was approved for purchase in March 1979 and was brought into the Library and up in the elevator piece by piece because the pieces were so large. It can weigh up to 9,000 pounds when full. There are 32 levels in the

Lektriever and each level holds 14 trays for a total of 448, which can hold 73,488 fiche when full. This is the equivalent to 12,248 bound volumes. The Lektriever sits on the northwest corner of the Law Library in the Microforms Room where there is a huge beam to hold it and the cabinets which can weigh up to 1,400 pounds each when full. When the new construction is complete, the Lektriever will be moved to the underground stack area along with the 20 microform cabinets now housed in the Microform Room and on the 1st floor.

Microforms allow libraries to maintain complete collections in much smaller buildings. Many libraries have discarded their paper volumes when they have the material on microfiche or microfilm. There is a wonderful discussion on this subject in *Double Fold: Libraries and the Assault on Paper* by Nicholson Baker (GENI Z695.655 .B35 2001). Mr. Baker compares paper books to microforms and always wants to hold the material in his hands. If only libraries had the space to retain and maintain all of their books, newspapers, etc., people would be much happier because they could touch and feel them.


(This is an expanded and updated version of *Microforms at OCLL* published in the *Transcript*, v. 4, no. 2 (1999).) 



Ask a Librarian Question of the Quarter

by Mora Prestinary, Reference Librarian

Q: What form do I use and where can I obtain a form to respond to a Summons?

A: The Judicial Council forms web site has Answer forms that you can use: <http://www.courtinfo.ca.gov/forms>. Use the pull-down menu to select "All Forms Listed by Name", then click "See Forms" and scroll down until you find the Answer forms. Some forms can be used online others need to be printed. 

TECHNOLOGY AT ORANGE COUNTY PUBLIC LAW LIBRARY

PUBLIC COMPUTER STATIONS

LEGAL RESEARCH PROGRAMS

Law Desk
Authority
Shepard's
CEB Practice Libraries
Premise- Rutter Group

CD-ROM VIEWING STATION

WORD PROCESSOR

CONFERENCE/TRAINING ROOM

35 person capacity
Internet-ready
Projector/screen
Wired for laptops

INTERNET ACCESS & DATABASES

Loislaw- All States & Federal
LegalTrac- Legal Periodical
Citations
CCH tax law & forms
Fastcase- All States & Federal
HeinOnLine- Federal Register,
U.S. Reports,
Law Reviews, Treaties
LLMCDigital- Federal Documents
Westlaw- All States & Federal,
Keycite

OCPLL will be closed for the following Court Holidays

September 6, 2004 Labor Day
October 11, 2004 Columbus Day
November 11, 2004 Veterans Day
November 25 & 26, 2004 Thanksgiving Holiday

Regular Library Hours

Monday-Thursday 8 am-8 pm
Friday 8 am-6 pm
Saturday 9 am-6 pm

Closed Sundays and Court Holidays

The Orange County Public Law Library
derives its income from a portion of the filing fees in
civil cases heard in the Superior Courts of Orange
County, rather than from general tax funds.

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